

REMARKS

This Amendment is filed in response to Office Action mailed on August 17, 2007.

All objections and rejections are respectfully traversed

Claims 6-11, 13-17, 20, 23, and 26-67 are pending in the case.

Request for Interview

The Applicant respectfully requests a telephonic interview with the Examiner after the Examiner has had an opportunity to consider this Amendment, but before the issuance of the next Office Action. The Applicant may be reached at 617-951-3067.

Claim Rejections -35 U.S.C. §112

At paragraphs 6-14 of the Office Action, claims 6-11, 13-17, 20, 23, and 26-67 were rejected under 35 U.S.C. §112, as being indefinite for failing to particularly point out and distinctly claim subject matter which applicant regards as the invention.

Specifically, the Examiner states claims 6, 13, 20, 23, 26, and 27 do not state using the internal and external information stored. Applicant respectfully urges that the currently amended claims are allowable over the §112 rejection. The external and internal information are used in allocating resources to each virtual server. Accordingly, as the claims state, the external and internal information is used in allocating or partitioning resources to create a virtual server, Applicant believes claims 6, 13, 20, 23, 26, and 27 to be allowable over the §112 rejection.

Specifically, the Examiner states claims 31, 49, and 67 are rejected because of insufficient antecedent basis. Applicant respectfully urges that the currently amended claims overcome the rejection.

Specifically, claim 49 was rejected because the Examiner stated that the physical device apparatus does not claim any physical/tangible elements. Applicant respectfully urges that currently amended claim 49 overcomes the rejection.

Specifically, the Examiner rejected claims 50-66 for improper reference to a “method”. Applicant believes the amended claims overcome the rejection.

Specifically, the Examiner rejected claim 66 for improper antecedent basis. Applicant believes the amended claim overcomes the rejection.

Claim Rejections – 35 USC § 101

At paragraphs 15-18, claims 31-67 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Specifically, the Examiner states that claims do not perform function on the data to obtain a “useful” result.

Applicant respectfully urges that claims 31-67 meet the requirements of §101 by performing a physical transformation and or having a concrete, tangible, and useful result. Representative claim 31 recites “storing external configuration ... in a global repository” and “storing internal configuration information ... in a private repository.” A person of skill in the art would understand that storing is to a storage device or to an internal memory in a server. The step of writing is a physical transformation by for example writing to magnetic disk is accomplished by magnetizing minute, iron, bar-magnet

particles embedded in the disk surface or writing to a CD-ROM requires a laser to darken the material to encode a 0 and to leave it translucent to encode a 1. Storing external and internal information is a useful, tangible, and concrete result because the internal information controls configuration information of the virtual server and the external information assigns the resources to the virtual server. The resources for the virtual server include allowing a client to access the virtual server and storage space assigned to a virtual server for storing files and other information. Additionally, the security domain information is used to control access to a selected (virtual server) to only those clients that have access rights and allow the virtual server to only access its own assigned storage resources. Controlling access is a useful, tangible, and concrete because the information used to control access is stored on a storage device or memory and controlling access allows one server to be used by multiple separate groups. Furthermore, currently amended claim 49 is drawn to hardware, and therefore allowable over the §101 rejection. Accordingly, claims 31-67 are believed allowable over the §101 rejection.

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account
No. 03-1237.

Respectfully submitted,

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